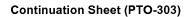
## Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/534,411	TSUYUMOTO ET AL.		
Examiner	Art Unit		
ANISH DESAI	1787		

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The MAILING DATE of this communication appe	ars on the cover sheet with th	e correspondence add	ress	
THE REPLY FILED 30 March 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.				
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Apperfor Continued Examination (RCE) in compliance with 37 C periods:	the same day as filing a Notice of replies: (1) an amendment, affidated (with appeal fee) in compliance	of Appeal. To avoid abai avit, or other evidence, v se with 37 CFR 41.31; o	which places the r (3) a Request	
a) The period for reply expires 3 months from the mailing date b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or ( MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f Extensions of time may be obtained under 37 CFR 1.136(a). The date of	dvisory Action, or (2) the date set for ster than SIX MONTHS from the mai b). ONLY CHECK BOX (b) WHEN T ).	ling date of the final rejection HE FIRST REPLY WAS FI	on. LED WITHIN TWO	
have been filed is the date for purposes of determining the period of ext under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the s set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amou hortened statutory period for reply o	nt of the fee. The appropri- riginally set in the final Offic	ate extension fee be action; or (2) as	
<ol> <li>The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed wi AMENDMENTS</li> </ol>	nsion thereof (37 CFR 41.37(e)),	to avoid dismissal of the	s of the date of e appeal. Since a	
3. The proposed amendment(s) filed after a final rejection, be (a) They raise new issues that would require further core (b) They raise the issue of new matter (see NOTE below (c) They are not deemed to place the application in better appeal; and/or (d) They present additional claims without canceling a content of the proposed amendment of the proposed a	nsideration and/or search (see Nw); eer form for appeal by materially	OTE below); reducing or simplifying t		
NOTE: <u>see enclosed response</u> . (See 37 CFR 1.11 4.   The amendments are not in compliance with 37 CFR 1.12 5.   Applicant's reply has overcome the following rejection(s):	6 and 41.33(a)). 21. See attached Notice of Non-G		PTOL-324).	
6. Newly proposed or amended claim(s) would be all non-allowable claim(s).	owable if submitted in a separate	•	-	
7.  For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is prove The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: 4-9. Claim(s) withdrawn from consideration: 1-3. AFFIDAVIT OR OTHER EVIDENCE	ided below or appended.			
<ol> <li>The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).</li> </ol>	sufficient reasons why the affid	avit or other evidence is	necessary and	
<ol> <li>The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary</li> </ol>	vercome <u>all</u> rejections under app and was not earlier presented.	eal and/or appellant fail See 37 CFR 41.33(d)(1	s to provide a ).	
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER  11. ☐ The request for reconsideration has been considered but		•		
11. The request for reconsideration has been considered but does NOT place the application in condition for allowance because:				
12. ⊠ Note the attached Information <i>Disclosure Statement</i> (s). (PTO/SB/08) Paper No(s). <u>20010430</u> 13. ⊠ Other: <u>see attached interview summary</u> .				
/Callie E. Shosho/ Supervisory Patent Examiner, Art Unit 1787	/A. D./ Examiner, Art Unit 178	37		



Application No.